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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,) No. CR-08-00862 SBA
12 Plaintiff,)
13 vs.)
14 CONNELL BRADLEY)
15 Defendant.)

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**STIPULATION AND ORDER FOR
CONTINUANCE AND EXCLUSION OF
TIME UNDER THE SPEEDY TRIAL
ACT, 18 U.S.C. 3161 ET. SEQ.**

Current Date: March 3, 2009
Requested Date: March 24, 2009

17 The parties in the above-captioned matter are scheduled to appear before the Court on
18 March 3, 2009 at 9:00 a.m. The parties stipulate and agree that the matter should be continued to
19 March 24, 2009 because (1) defense counsel just received voluminous records from Ohio, (2) the
20 Ohio records are not in any easily identifiable order and, although they contain many documents
21 that are not relevant to this case, there are some documents that will be necessary and it has been
22 time-consuming to sort them, (2) defense counsel has a Ninth Circuit argument on March 9 and
23 therefore will not be able to sufficiently focus on Mr. Bradley's matter by March 3, (3)
24 government counsel is in trial the week of March 16, (4) discovery provided by the government
25 covers seven different robberies with seven separate sets of evidence and it is taking the parties
26 additional time to sort through and weigh the relative strength of each charged, and (5) the

1 parties are confident that the matter will resolve by plea rather than trial, but those plea
2 negotiations have not progressed sufficiently for resolution by March 3. The parties are
3 optimistic that the terms of an agreement could be reached by March 24. For all of these
4 reasons, the parties stipulate and agree that the ends of justice served by the continuance
5 requested herein outweigh the best interest of the public and the defendant in a speedy trial
6 because the failure to grant the continuance would deny the counsel for the defendant the
7 reasonable time necessary for effective preparation, taking into account the exercise of due
8 diligence. The parties therefore stipulate and agree that time should be excluded pursuant to 18
9 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

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/S/

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Date: February 25, 2009

Rebecca Sullivan Silbert
Assistant Federal Public Defender
/S/

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Date: February 25, 2009

Christine Wong
Assistant United States Attorney

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I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/S/) within this e-filed document.

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Based on the reasons provided in the stipulation of the parties above, the Court hereby
FINDS that the ends of justice served by the continuance requested herein outweigh the best
interest of the public and the defendant in a speedy trial because the failure to grant the
continuance would deny the counsel for the defendant the reasonable time necessary for effective
preparation, taking into account the exercise of due diligence. The Court makes this finding
based on the time needed for defense counsel to review the Ohio records, the time needed for
defense counsel’s appeal and government counsel’s trial, the need for the parties to sort through

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1 the discovery on the multiple charges in this case, and the continuing negotiations of the parties.

2 Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter
3 is continued to March 24, 2009 at 9:00 a.m., and that time is excluded from March 3, 2009 to
4 March 24, 2009 pursuant to 18 U.S.C. §§3161(h)(8)(A) and (B)(iv).

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6 IT IS SO ORDERED.

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9 2/26/09

10 Date

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Honorable Saundra Brown Armstrong
Judge, United States District Court
Northern District of California